

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: David Foster	Team: Team # 5	CCRB Case #: 200614570	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 11/01/2006 10:20 AM	Location of Incident: § 87(2)(b)	Precinct: 73	18 Mo. SOL 5/1/2008	EO SOL 5/1/2008	
Date/Time CV Reported Wed, 11/01/2006 11:06 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 11/01/2006 11:06 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Shane Killilea	30946	927030	073 PCT
2. An officer			
3. Officers			

Officer(s)	Allegation	Investigator Recommendation
A.POM Shane Killilea	Abuse: Officer Shane Killilea stopped and questioned § 87(2)(b)	§ 87(2)(b)
B. An officer	Abuse: An officer stopped and questioned § 87(2)(b)	§ 87(2)(b)
C. An officer	Abuse: An officer searched § 87(2)(b)	§ 87(2)(b)
D.POM Shane Killilea	Abuse: Officer Shane Killilea searched § 87(2)(b)	§ 87(2)(b)
E. Officers	Abuse: Officers stopped and/or questioned an individual.	§ 87(2)(b)
F. Officers	Abuse: Officers searched an individual.	§ 87(2)(b)

Synopsis

On November 1, 2006, § 87(2)(b) was standing at the entrance to the § 87(2)(b), where he currently resides. Another male resident of the shelter asked him to borrow fifty cents. A marked police van pulled up and at least four uniformed officers got out. PO Shane Killilea and an unidentified white male officer stopped and questioned § 87(2)(b) (**allegations A and B**). Without explaining why § 87(2)(b) was being stopped, one of the officers searched § 87(2)(b) putting his hands in § 87(2)(b)'s pockets and bag (**allegation C**). PO Killilea searched § 87(2)(b)'s wallet (**allegation D**). § 87(2)(b) asked, "Do you have probable cause?" and the officers responded by placing him in handcuffs. When § 87(2)(b) asked for PO Killilea's name, PO Killilea provided it verbally; § 87(2)(b) also read his name from his badge. While § 87(2)(b) was being searched, two unidentified officers stopped and searched the unidentified male resident of the shelter with whom § 87(2)(b) had been talking (**allegations E and F**).

On November 1, 2006, § 87(2)(b) filed this complaint with the CCRB by telephone. On November 8, 2006, the CCRB sent § 87(2)(b) a "please call" letter and received a telephone statement. § 87(2)(b) scheduled an interview for November 13, 2006, but also stated that he was not sure he wanted to proceed with his complaint. On November 13, 2006, § 87(2)(b) called to cancel his interview. On November 15, 2006, the CCRB called § 87(2)(b) to reschedule the interview, but § 87(2)(b) stated that he did not want to proceed with his complaint. When asked why he did not want to proceed, § 87(2)(b) stated that he was more concerned with a systemic problem than with the individual officers' actions, and felt this concern would § 87(2)(b) be addressed elsewhere. The investigator then asked if § 87(2)(b) had been coerced to withdraw his complaint, and he stated that he had not. When asked if the decision to withdraw the complaint was his own, § 87(2)(b) confirmed that it was. On November 15, 2006, the CCRB sent § 87(2)(b) a withdrawal letter, and on December 1, 2006, Supervising Investigator Delene Bromirski reviewed § 87(2)(b)'s withdrawal statement. § 87(2)(b) was able to provide only a last name, § 87(2)(b) for the other individual who was allegedly searched. On November 30, 2006, a search of the Booking and Arraignment Disposition System indicated no arrests in the 73rd Precinct of § 87(2)(b) with the last name § 87(2)(b) on the day of the incident. § 87(2)(b) also provided contact information for a possible witness to the incident, § 87(2)(b). The investigator attempted to contact § 87(2)(b) on November 16, 2006, and November 30, 2006, but reached staff at the § 87(2)(b) who stated that § 87(2)(b) could not be reached at that telephone number and were unable to provide additional contact information. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: